IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.785 OF 2003
IN
SECOND APPEAL NO.866 OF 2002

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

CORAM : P.V.KAKADE,J.

DATE : 15TH OCTOBER, 2004

P.C.:

1. Heard the learned counsel for both the parties. Perused the affidavit in reply as well as rejoinder filed by the respondents.

2. It is contended by the applicant that inspite of status-quo order passed by way of interim relief the Respondents have obstructed his possession so far as Gat No.21 for

which purpose he has filed subsequent affidavit along with record including complaint made to the Police Station and fact that the Police have taken cognizance thereof. In view of this position I am inclined to grant application. Hence the application is made absolute in terms of prayer clauses (b) and (c).

3. It is also clarified that pending the appeal the Respondent is restrained by an order of injunction from disturbing the possession of the applicant in respect of land of Gat No.21 of the said properties. It is further clarified that the House property of the opponent situated in land of Gat No.21 and the order of injunction shall not affect the possession of opponent in respect of said house property.